

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2325

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THIS DOCUMENT RELATES TO:

*Atteberry v. American Medical System, Inc., et al. Civil Action No. 2:13-cv-19448*

ORDER

(Dismissing Defendant American Medical Systems, Inc. without Prejudice  
and Transferring Case to MDL 2327)

On August 9, 2016 the plaintiff and defendant American Medical Systems, Inc., (“AMS”) filed a Joint Motion to Dismiss Defendant American Medical Systems, Inc. without Prejudice [ECF No. 10]. In the joint motion the parties are seeking dismissal of AMS as a defendant in this action without prejudice because all claims against AMS have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiff’s Motion to Transfer MDLs for this case [ECF No. 10]. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss AMS without Prejudice is **GRANTED**. It is further **ORDERED** that the **MOTION TO TRANSFER MDLs** is **GRANTED**. Plaintiff’s counsel states in the Motion to Transfer that an Amended Short Form Complaint will be filed within 14 days of the filing of the Joint Motion. Plaintiff’s counsel is **DIRECTED** to file an Amended Short Form Complaint within the time frame stated in the motion. Defendant AMS is **DISMISSED WITHOUT PREJUDICE** as a defendant in this

action and this action is **TRANSFERRED** to MDL 2327. The Clerk is DIRECTED to disassociate the civil action as member case in MDL 2325 and re-associate it with MDL 2327.

The Clerk is further DIRECTED to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: August 10, 2016



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE